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LEE & HAYES, PLLC 421 W. RIVERSIDE AVE.			SELLMAN, CACHET I	
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SPOKANE, WA 99201			1762	
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Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.	Applicant(s)			
		10/751,303	BLOHOWIAK ET AL.			
	Office Action Summary	Examiner	Art Unit			
		Cachet I. Sellman	1762			
Period fo	The MAILING DATE of this communication app or Reply	ears on the cover sheet with the c	correspondence address			
WHIC - Exte after - If NC - Failu Any	ORTENED STATUTORY PERIOD FOR REPLY CHEVER IS LONGER, FROM THE MAILING DAMINISIONS of time may be available under the provisions of 37 CFR 1.13 SIX (6) MONTHS from the mailing date of this communication. O period for reply is specified above, the maximum statutory period we are to reply within the set or extended period for reply will, by statute, reply received by the Office later than three months after the mailing ed patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be tin fill apply and will expire SIX (6) MONTHS from cause the application to become ABANDONE	N. nely filed the mailing date of this communication. (D. (35 U.S.C. § 133).			
Status						
1)⊠	Responsive to communication(s) filed on <u>02 Ja</u>	nuary 2004.				
2a) <u></u> ☐	This action is FINAL . 2b)⊠ This	action is non-final.				
3)	3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is					
	closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.					
Disposit	ion of Claims					
4)⊠	Claim(s) 1-60 is/are pending in the application.					
	4a) Of the above claim(s) 47-60 is/are withdrawn from consideration.					
	Claim(s) is/are allowed.					
	6) Claim(s) 1-14 is/are rejected.					
	Claim(s) is/are objected to. Claim(s) are subject to restriction and/or	r election requirement				
اــا(٥	cialin(s) are subject to restriction and/or	election requirement.				
Applicat	ion Papers					
•	The specification is objected to by the Examine					
10)⊠	The drawing(s) filed on <u>02 January 2004</u> is/are:					
	Applicant may not request that any objection to the	• • • • • • • • • • • • • • • • • • • •				
11\	Replacement drawing sheet(s) including the correcti The oath or declaration is objected to by the Ex					
	•	annier. Note the attached Office	, , , , , , , , , , , , , , , , , , , ,			
•	under 35 U.S.C. § 119					
	Acknowledgment is made of a claim for foreign	priority under 35 U.S.C. § 119(a)-(d) or (f).			
a) ☐ All b) ☐ Some * c) ☐ None of: 1 ☐ Certified copies of the priority documents have been received.						
	 Certified copies of the priority documents Certified copies of the priority documents 		ion No			
	3. Copies of the certified copies of the prior					
	application from the International Bureau					
* 5	See the attached detailed Office action for a list	•	ed.			
Attachmen	nt(s)					
	ce of References Cited (PTO-892) ce of Draftsperson's Patent Drawing Review (PTO-948)	4) Interview Summary Paper No(s)/Mail D				
3) X Infor	ce of Draftsperson's Patent Drawing Review (PTO-948) mation Disclosure Statement(s) (PTO-1449 or PTO/SB/08) or No(s)/Mail Date 5/21/2004.		Patent Application (PTO-152)			

DETAILED ACTION

Election/Restrictions

1. Claims 47 – 60 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made without traverse in the reply filed on 3/28/2006.

Drawings

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: Reference numbers "80" and "86" of Fig. 3 are not in the specification. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

3. The disclosure is objected to because of the following informalities: On page 3 of the specification it states "an adhesive coating line 70 (Fig. 3)" it should read "an adhesive coating line 100 (Fig. 3)."

Appropriate correction is required.

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Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the

subject matter which the applicant regards as his invention.

5. Claims 22, 23, 41, 43, and 45 are rejected under 35 U.S.C. 112, second paragraph, as being

indefinite for failing to particularly point out and distinctly claim the subject matter which applicant

regards as the invention. In claims 22-23, 41, 43, and 45 the applicant states the epoxy material comprises

"about 3-35% by wt. diglycidylether of bisphenol-A, about 35-60% by wt. diglycidylether of bisphenol-

A." As the claim is written, it is unclear if the applicant is claiming 3-60% by wt. of diglycidlether of

bisphenol-A or if there is a typographical error. From reading the specification, the applicant seems to

mean that the epoxy material comprises 3-35% by wt. liquid diglycidylether of bisphenol-A, about 35-

60% by weight solid diglycidylether of bisphenol. Therefore the examiner will further interpret the claim

to mean that the epoxy material comprises 3-35% by wt. liquid diglycidylether of bisphenol-A, about 35-

60% by weight solid diglycidylether of bisphenol.

6. Claim 46 is recites the limitation "wherein the metal material" in line 1 of claim 46. There is

insufficient antecedent basis for this limitation in the claim. Claim 45 from which 46 depends does not

require a metal material. Claim 45 claims a titanium foil therefore it is unclear as to what the applicant is

claiming.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 4-6, 8-10, and 16-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Blohowiak et al. (US 5869141).

Blohowiak et al. teaches a process for applying a sol-gel coating to a metal material (abstract). Blohowiak et al. teaches pretreating the metal surface with Turco 5578 alkaline etch (caustic solution of NaOH) and rinsing the metal material with deionized water (Table 6, column 2, lines 44-47); applying a sol-gel coating to the metal material (column 19, lines 32-33); and evaporating the water portion of the sol-gel coating (column 19, lines 35-39) as required by **claim 4**. The sol gel can be applied to titanium, aluminum, copper, or iron metals or alloys (column 19, lines 52-55) as required by **claim 5**. The concentration of sodium hydroxide in Turco 5578-L is 10-30% as required by **claim 6**. The temperature of the caustic solution is 190 (+/- 5) °F (Table 6, column 20, line 45) as required by **claims 8 and 9**. The sol-gel coating is 20-500 nm thick (column 4, lines 42-45) as required by **claim 10**. Blohowiak et al. teaches applying an adhesive to a sol gel that is covalently bonded to a metal substrate then curing the adhesive (abstract, Fig. 1) as required by **claim 16**. The metal can be titanium, aluminum, copper, or iron metals or alloys (column 19, lines 52-55) as required by **claim 17**.

Claim Rejections - 35 USC § 103

- 9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

10. Claims 7 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blohowiak et al. as applied to claim 4 above.

The teachings of Blohowiak et al. as applied to claim are as stated above.

Blohowiak et al. does not teach that the NaOH concentration in the caustic solution is 25% as required by claim 7 or that the sol-gel layer is about 100 nm thick as required by claim 11. However, Blohowiak et al. teaches that the alkaline etch with TURCO 5578 (caustic solution with NaOH) produces a roughened surface better suited for adhesive bonding The concentration of the alkaline solution will affect the roughening of the surface making it a result effective variable. Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the process to include the concentration within the claimed range through routine experimentation in order to achieve the desired roughening of the metal surface especially absent any criticality in using the claimed range.

Blohowiak et al. also teaches that if the sol-gel coating becomes to thick the film becomes glassy (column 4, lines 49-55). Therefore the thickness is a result effective variable. It would have been obvious to one having ordinary skill in the art at the time the invention was made to use the thickness within the claimed range through routine experimentation in order to achieve the desired appearance of the film especially absent any criticality in using the claimed range.

11. Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vaughan et al. (US 3967091), Grylls et al. (US 2002/0192496 A1), and Konieczny (US 6769956 B1).

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Vaughan et al. discloses a process for cleaning titanium alloy to remove oxide coating. The process includes cleaning the alloy (column 2, lines 17-19) using grit blasting with 50 micron alumina, water rinsing, immersing in a solvent and water rinsing (column 4, lines 34-38). Vaughan et al. does not teach that the metal is blasted with a mixture of aluminum oxide in air and water and using a mesh size of about 180-320 or 220 as required by claims 1 and 2.

Grylls et al. teaches a method for coating a turbine airfoil where the airfoil is grit blasted to improve the surface finish. The airfoil can be grit blasted using particles mixed with compressed air and water vapor [0020] where the particles are alumina [0022]. Grylls et al. teaches that pressures and sizes must be controlled to prevent chipping of the surface. The grit size can be smaller than 60 mesh and preferably smaller than 220 mesh [0022].

Konieczny discloses that grit blasting is used in a variety of manufacturing processes. Aluminum oxide particles of a selected size are directed against a surface to be blasted by compresses air or water. The goal is to create a surface having a roughness within a certain range, which is achieved by varying the size of the alumina grit, and the air pressure (column 1, lines 16-24).

It would have been obvious to one having ordinary skill in the art to modify the process of Vaughan et al. to include the grit blasting with particles in water vapor and compresses air as taught by Grylls et al. One would have been motivated to do so because both disclose processes for grit blasting a metal substrate and Grylls et al. further teaches that the grit blasting improves the surface finish.

Konieczny teaches that the mesh size is a result effective variable because it controls the surface roughness. Therefore it would have been obvious to one having ordinary skill in the art at the time to use

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the mesh size within the claimed range through routine experimentation in order to obtain a desired surface finish especially absent any criticality in using the claimed range.

Vaughan et al. teaches that the metal is titanium as required by claim 3.

12. Claims 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blohowiak et al. as applied to claim 4 above.

The teachings of Blohowiak et al. as applied to claim 4 are as stated above.

Blohowiak et al. further teaches that the sol gel is a mixture of a zirconium alkoxide, 3-glycidoxy-propyltrimethoxysilane, and glacial acetic acid (column 3, lines 3-10). Blohowiak et al also teaches that the sol gel mixture can be an organozirconium compound such as tetra n-propoxyzirconium, an organosilane such as 3-glycidoxypropyltrimethoxysilane and an acetic acid catalyst (column 4, lines 28-35).

Blohowiak et al. does not teach that the mixture has to have a surfactant as required by claims 12 and 13.

However, Blohowiak et al. states that the mixture can have surfactants or thixotropic agents in the solution to improve spray characteristics. The surfactants or thixotropic agents help to provide a more uniform sprayed coating and improve the manufacturability of the process.

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It would have been obvious to one having ordinary skill in the art at the time the invention was made to use a surfactant in the mixtures. One would have been motivated to do so because Blohowiak et al. teaches using surfactants improves the spray characteristics of the solution; provides a more uniform spray coating; and improves the manufacturability of the process therefore one would have a reasonable expectation of success of applying the sol gel.

13. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Blohowiak et al. as applied to claims 4 and 13 above and in further view of Hess (US 4373968).

The teachings of Blohowiak et al. as applied to claims 4 and 13 are as stated above.

Blohowiak et al. does not teach using the surfactant Anatorx BL-240 as required by claim 14.

Hess teaches a coating composition for metallic surfaces that is corrosion resistant and to which other coatings may adhere (column 1, lines 6-13). Hess teaches that surfactants are used in the composition that does not cause destabilization and shows good adherent properties such as Antarox BL-240 (column 8 lines, 31-37 and 45-49).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the process of Blohowiak et al. to include the surfactant Antarox BL-240 of Hess. One would have been motivated to do so because both disclose compositions that are used to provide adherence properties to metals and corrosion resistance (Blohowiak et al. column 17, lines 22-23) and that the compositions can contain surfactants. Hess further teaches that Antarox BL 240 is a surfactant that

does not cause destabilization and shows good adherent properties therefore one would have a reasonable expectation of success in forming the sol-gel.

Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Blohowiak et al. as 14. applied to claims 4 and 13 above and in further view of Sagiv et al. (US 2002/0002232 A1) and "Tomadol Ethoxylated Alcohols Data Sheet"

(http://www.tomah3.com/products/ProdImages/TomadolDatasheet.pdf).

The teachings of Blohowiak et al. as applied to claims 4 and 13 are as stated above.

Blohowiak et al. does not teach that the surfactant that is used is Tomadol 91-8 as required by claim 15.

Sagiv et al. discloses the use of an alcohol ethoxylate in a composition as a surfactant that aids in leveling the composition on the substrates to which it is applied [0030 and 0031].

Tomadol Data Sheet teaches that Tomadol is n alcohol ethoxylated nonionic surfactant.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the process of Blohowiak et al. to include the surfactant of Sagiv et al. One would have been motivated to do so because both disclose processes using surfactants to control how the composition to the substrate and Sagiv et al. further teaches that an alcohol ethoxylate can be used as a surfactant to aid in leveling the composition on the substrate and Tomadol Data Sheet teaches that Tomadol 91-8 is an alcohol ethoxylate therefore one would have a reasonable expectation of success in applying the sol-gel.

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15. Claims 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blohowiak et al. as

applied to claim 16 above, and further in view of Montano et al. (US 6616976 B2).

The teachings of Blohowiak et al. as applied to claim 16 are as stated above.

Blohowiak et al. does not teach applying the adhesive coating in a dip-coating tank or by

spraying as required by claims 18 and 19.

Montano et al. teaches a method for treating adhesion promoted metal surfaces with an epoxy

resin. Montano et al. discloses a process of roughening a metal surface, applying an adhesion promotion

composition to the metal surface then coating it with an epoxy resin composition (abstract). Montano et

al. also teaches that the epoxy resin composition is can be applied by spray coating, dip coating, roller

coating, or any suitable method to apply an epoxy resin (column 9, lines 41-46).

It would have been obvious to one having ordinary skill in the art at the time the invention was

made to modify the process of Blohowiak et al. to include applying the epoxy adhesive using the methods

of Montano et al. One would have been motivated to do so because both disclose processes where a metal

is coated with an adhesion promotion composition and then coated with an epoxy resin and Montano et

al. further discloses an operable way of applying the epoxy resin coating therefore one would have a

reasonable expectation of success in applying the adhesive coating to the metal.

16. Claims 20 –21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blohowiak et al. as

applied to claim 16 above, and further in view of Tola (US 5049232).

The teachings of Blohowiak et al. as applied to claim 16 are as stated above.

Blohowiak et al. does not each applying the adhesive to a thickness of 0.1 - 3.0 mils or 0.75 as required by claims 20 and 21.

Tola discloses a method for forming a foil/dielectric laminate by applying an epoxy resin to the foil, baking the adhesive in an oven to remove the solvent in the adhesive, which dries the adhesive and reduces the thickness of the layer to about 0.4 mils. The thickness is a result effective variable, which depends on the curing conditions. It would have been obvious to one having ordinary skill in the art at the time the invention was made to use the thickness within the claimed range through routine experimentation in order to ensure that the foil is laminated to the dielectric especially since there is no evidence in using the thickness in the claimed range.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the process of Blohowiak et al. to include applying the adhesive at the thickness as taught by Tola. One would have been motivated to do so because both disclose applying an epoxy to a foil for form a laminate and Tola teaches a process where a laminate is formed using an epoxy applied to a foil therefore one would have a reasonable expectation of success in forming the laminate.

Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Blohowiak et al. (US 17. 5869141) as applied to claim 16 above and in further view of Shimizu et al (US 4374890).

The teachings of Blohowiak et al. as applied to claim 16 are as stated above.

Blohowiak et al. does not teach that the adhesive is an epoxy material comprising about 3-35% by wt. diglycidylether of bisphenol-A, about 10-30% by wt. novolac-epoxy, and about 5-18% by wt. carboxy terminated acrylonitrile-butadiene rubber; and a second curative material comprising about 0-100% by wt. 4,4' –diaminodiphenylsulfone, about 0-100% by wt. 3,3'diaminodiphenylsulf-one, and about 0-0.2% by wt. chromium octotate as required by claim 22.

Shimizu et al. teaches applying an adhesive to a metal plate where the adhesive comprises a first epoxy composition and a second epoxy composition then the composition is cured by heating the modulus of elasticity in tension sufficient to increase the stiffness of the metal (abstract). Shimizu et al. teaches that the epoxy resins can be glycidyl ether type and can be used alone or in combination with each other depending on the desired physical properties of the epoxy resin composition. The resin includes hardeners that are used to exhibit curing action upon heating such as 4,4'-diaminodiphenylsulfone in amounts between 1-15% by weight of the total epoxy resin (column 3, lines 32-50). Shimizu et al. teaches that various additives can be used such as high molecular weight epoxy resins derived form bisphenol A and butadiene acrylonitrile copolymers in the amount of 5-100 % by weight which increases the formability of the adhesive (column 3, lines 57-64). Shimizu et al. teaches the use of 35 parts of bisphenol A type liquid epoxy resin with 50 parts bisphenol a type solid epoxy resin (column 5, lines 63-66). Shimizu et al. also teaches the use of 10 % of carboxyl group containing nitrile rubber (column 6, lines 37-40). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the epoxy material of Shimizu et al. using the amounts of the claim through routine experimentation especially absent any criticality in using the claimed range. One would have been motivated to do so because Shimizu et al. teaches that the amount and components of the mixture affects

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the overall cohesive force, sag, viscosity, and wetting properties of the resin (column 3, lines 51-56) therefore one would have a reasonable expectation of success in applying the adhesive to the metal substrate.

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It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the process of Blohowiak et al. to include applying the epoxy mixture of Shimizu et al. One would have been motivated to do so because both disclose applying epoxy adhesive to a metal substrate and Shimizu et al. further teaches that the adhesive does not have the problem of forming strain or depression in the metal therefore one would have a reasonable expectation of success in applying the epoxy resin.

18. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Blohowiak et al. (US 5869141) in view of Shimizu et al (US 4374890) as applied to claim 22 above and in further view of Poutasse et al. (US 5629098).

The teachings Blohowiak et al. in view of Shimizu et al as applied to claim 22 are as stated above.

Blohowiak et al. in view of Shimizu et al. does not teach that the solvent is acetone as required by claim 23.

Poutasse et al. discloses applying an epoxy adhesive to foil to produce a laminate. Poutasse et al. teaches that the adhesive contains a solvent where the solvent can be acetone (column 4, lines 55-59).

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It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the process of Blohowiak et al. in view of Shimizu et al. to include the solvent of Poutasse et al. One would have been motivated to do because both disclose processes for applying an epoxy adhesive that contains an epoxy novolac, bisphenol epoxy resin to a foil to make a laminate where the foil is roughened before the adhesive is applied and Poutasse further teaches that the adhesive contains a solvent therefore one would have a reasonable expectation of success in forming the epoxy adhesive.

19. Claims 24 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blohowiak et al. (US 5899141) in view of Vaughan et al. (US 3967091), and Grylls et al. (US 2002/0192496 A1).

Blohowiak et al. teaches a process of grit blasting a metal material with fine particles of aluminum oxide where the mesh size is about 180 (column 10, lines 42-58); subjecting the metal material to a caustic solution of sodium hydroxide (Table 6, column 20, lines 44-46); rinsing the metal material with water to remove the caustic solution of sodium hydroxide (Table 6, column 20, lines 44-46); applying s sol-gel coating to the metal material (abstract); evaporating the water portion of the sol-gel coating (Fig. 1, column 3, lines 18-21); applying a liquid adhesive coating to the metal material and evaporating the solvent of the adhesive coating (Fig. 1, abstract).

Blohowiak et al. does not teach grit blasting with a mixture of aluminum oxide in air and water then rinsing the metal to remove the grit as required by claim 24.

Vaughan et al. discloses a process for cleaning titanium alloy to remove oxide coating. The process includes cleaning the alloy (column 2, lines 17-19) using grit blasting with 50 micron alumina, water rinsing, immersing in a solvent and water rinsing (column 4, lines 34-38).

Grylls et al. teaches a method for coating a turbine airfoil where the airfoil is grit blasted to improve the surface finish. The airfoil can be grit blasted using particles mixed with compressed air and water vapor [0020] where the particles are alumina [0022]. Grylls et al. teaches that pressures and sizes must be controlled to prevent chipping of the surface. The grit size can be smaller than 60 mesh and preferably smaller than 220 mesh [0022].

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the process of Blohowiak et al. to include the grit removal process of Vaughan et al. and grit blasting using water, air and alumina as taught by Grylls et al. One would have been motivated to do so because all teach processes of cleaning a metal substrate using grit blasting, Vaughan et al. teaches that the grit can be removed by water rinsing as is later immersed in solvent which is a step in the process of Blohowiak et al. and Grylls et al. teaches that by blasting with water vapor, air, and alumina improves the surface finish of the metal as well as prevents chipping of the surface therefore one would have a reasonable expectation of success in cleaning the metal substrate.

The metal can be titanium, aluminum, stainless steel, nickel or copper as required by claim 25.

21. Claims 26-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blohowiak et al. in view of Grylls et al. and Vaughan et al. as applied to claim 24 are as stated above and in further view of Konieczny.

The teachings of Blohowiak et al. in view of Grylls et al. and Vaughan et al. as applied to claim 24 are as stated above.

Blohowiak et al. in view of Grylls et al. and Vaughan et al. does not teach that the grit has a mesh size of about 280 as require by claim 26.

Konieczny discloses that grit blasting is used in a variety of manufacturing processes. Aluminum oxide particles of a selected size are directed against a surface to be blasted by compresses air or water.

The goal is to create a surface having a roughness within a certain range, which is achieved by varying the size of the alumina grit, and the air pressure (column 1, lines 16-24).

It would have been obvious to one having ordinary skill in the art to modify the process of Blohowiak et al. in view of Grylls et al. and Vaughan et al. to include the mesh size of about 280. One would have been motivated to do so because Konieczny teaches that the mesh size is a result effective variable because it controls the surface roughness. Therefore it would have been obvious to one having ordinary skill in the art at the time to use the mesh size within the claimed range through routine experimentation in order to obtain a desired surface finish especially absent any criticality in using the claimed range.

Blohowiak et al. teaches that the caustic solution of sodium hydroxide has a concentration of about 10-30% by weight sodium hydroxide as required by **claim 27**.

Blohowiak et al. does not teach that the NaOH concentration in the caustic solution is 25% as required by claim 28. However, Blohowiak et al. teaches that the alkaline etch with TURCO 5578 (caustic solution with NaOH) produces a roughened surface better suited for adhesive bonding The concentration of the alkaline solution will affect the roughening of the surface making it a result effective

variable. Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the process to include the concentration within the claimed range through routine experimentation in order to achieve the desired roughening of the metal surface especially absent any criticality in using the claimed range.

The temperature of the caustic solution is 190° F as required by claims 29 and 30. Blohowiak et al. teaches that the sol-gel layer is about 10 - 500 nm thick as required by claim 31.

Blohowiak et al. does not teach that the sol-gel layer is 100 nm as required by claim 32.

However, Blohowiak et al. also teaches that if the sol-gel coating becomes to thick the film becomes glassy (column 4, lines 49-55). Therefore the thickness is a result effective variable. It would have been obvious to one having ordinary skill in the art at the time the invention was made to use the thickness within the claimed range through routine experimentation in order to achieve the desired appearance of the film especially absent any criticality in using the claimed range.

Blohowiak et al. teaches that the sol-gel is a mixture of a zirconium alkoxide, 3- glycidoxy-propyltrimethoxysilane, and glacial acetic acid (column 3, lines 3-10). Blohowiak et al. also teaches that the sol-gel is a mixture of zirconium n-propoxide, 3-glycidoxy-propyltrimethoxysilane, and glacial acetic acid (column 4, lines 28-35). Blohowiak et al. does not teach that the mixture must have a surfactant as required by claims 33 and 34. However, Blohowiak et al. does state that the mixture can have surfactants or thixotropic agents in the solution to improve spray characteristics. The surfactants or thixotropic agents help to provide a more uniform sprayed coating and improve the manufacturability of the process.

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It would have been obvious to one having ordinary skill in the art at the time the invention was made to use a surfactant in the mixtures. One would have been motivated to do so because Blohowiak et al. teaches using surfactants improves the spray characteristics of the solution; provides a more uniform spray coating; and improves the manufacturability of the process therefore one would have a reasonable expectation of success of applying the sol gel.

22. Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Blohowiak et al. in view of Grylls et al., Vaughan et al. and Konieczny as applied to claims 24 and 33 above, and further in view of Hess.

The teachings of Blohowiak et al. in view of Grylls et al., Vaughan et al. and Konieczny as applied to claims 24 and 33 are as stated above.

Blohowiak et al. in view of Grylls et al., Vaughan et al. and Konieczny does not teach that the surfactant is Antarox BL-240 as required by claim 35.

Hess teaches a coating composition for metallic surfaces that is corrosion resistant and to which other coatings may adhere (column 1, lines 6-13). Hess teaches that surfactants are used in the composition that does not cause destabilization and shows good adherent properties such as Antarox BL-240 (column 8 lines, 31-37 and 45-49).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the process of Blohowiak et al. in view of Grylls et al., Vaughan et al. and Konieczny to include the surfactant Antarox BL-240 of Hess. One would have been motivated to do so because both

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disclose compositions that are used to provide adherence properties to metals and corrosion resistance (Blohowiak et al. column 17, lines 22-23) and that the compositions can contain surfactants. Hess further teaches that Antarox BL 240 is a surfactant that does not cause destabilization and shows good adherent properties therefore one would have a reasonable expectation of success in forming the sol-gel.

23. Claim 36 is rejected under 35 U.S.C. 103(a) as being unpatentable over Blohowiak et al. in view of Grylls et al., Vaughan et al. and Konieczny as applied to claims 24 and 33 above and in further view of Sagiv et al. (US 2002/0002232 A1) and "Tomadol Ethoxylated Alcohols Data Sheet" (http://www.tomah3.com/products/ProdImages/TomadolDatasheet.pdf).

The teachings of Blohowiak et al. as applied to claims 24 and 33 are as stated above.

Blohowiak et al. does not teach that the surfactant that is used is Tomadol 91-8 as required by claim 36.

Sagiv et al. discloses the use of an alcohol ethoxylate in a composition as a surfactant that aids in leveling the composition on the substrates to which it is applied [0030 and 0031].

Tomadol Data Sheet teaches that Tomadol is n alcohol ethoxylated nonionic surfactant.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the process of Blohowiak et al. to include the surfactant of Sagiv et al. One would have been motivated to do so because both disclose processes using surfactants to control how the composition to the substrate and Sagiv et al. further teaches that an alcohol ethoxylate can be used as a surfactant to

aid in leveling the composition on the substrate and Tomadol Data Sheet teaches that Tomadol 91-8 is an alcohol ethoxylate therefore one would have a reasonable expectation of success in applying the sol-gel.

24. Claims 37-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blohowiak et al. in view of Grylls et al., Vaughan et al., and Konieczny as applied to claim 24 above and in further view of above and in further view of Montano et al. (US 6616976 B2).

The teachings of Blohowiak et al. in view of Grylls et al., Vaughan et al., and Konieczny as applied to claim 24 are as stated above.

Blohowiak et al. in view of Grylls et al., Vaughan et al., and Konieczny does not teach applying the adhesive coating in a dip-coating tank or by spraying as required by claims 37 and 38.

Montano et al. teaches a method for treating adhesion promoted metal surfaces with an epoxy resin. Montano et al. discloses a process of roughening a metal surface, applying an adhesion promotion composition to the metal surface then coating it with an epoxy resin composition (abstract). Montano et al. also teaches that the epoxy resin composition is can be applied by spray coating, dip coating, roller coating, or any suitable method to apply an epoxy resin (column 9, lines 41-46).

25. Claims 39-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blohowiak et al. in view of Grylls et al. and Vaughan et al. as applied to claim 24 above, and further in view of Tola (US 5049232).

The teachings of Blohowiak et al. in view of Grylls et al. and Vaughan et al. as applied to claim 24 are as stated above.

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Blohowiak et al. in view of Grylls et al. and Vaughan et al. does not each applying the adhesive to a thickness of 0.1 - 3.0 mils or 0.75 as required by claims 39 and 40.

Tola discloses a method for forming a foil/dielectric laminate by applying an epoxy resin to the foil, baking the adhesive in an oven to remove the solvent in the adhesive, which dries the adhesive and reduces the thickness of the layer to about 0.4 mils. The thickness is a result effective variable, which depends on the curing conditions. It would have been obvious to one having ordinary skill in the art at the time the invention was made to use the thickness within the claimed range through routine experimentation in order to ensure that the foil is laminated to the dielectric especially since there is no evidence in using the thickness in the claimed range.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the process of Blohowiak et al. to include applying the adhesive at the thickness as taught by Tola. One would have been motivated to do so because both disclose applying an epoxy to a foil for form a laminate and Tola teaches a process where a laminate is formed using an epoxy applied to a foil therefore one would have a reasonable expectation of success in forming the laminate.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the process of Blohowiak et al. in view of Grylls et al., Vaughan et al., and Konieczny to include applying the epoxy adhesive using the methods of Montano et al. One would have been motivated to do so because both disclose processes where a metal is coated with an adhesion promotion composition

and then coated with an epoxy resin and Montano et al. further discloses an operable way of applying the epoxy resin coating therefore one would have a reasonable expectation of success in applying the adhesive coating to the metal.

26. Claim 41 is rejected under 35 U.S.C. 103(a) as being unpatentable over Blohowiak et al. in view of Grylls et al., Vaughan et al., and Konieczny as applied to claim 24 above and in further view of Shimizu et al.

The teachings of Blohowiak et al. in view of Grylls et al., Vaughan et al., and Konieczny as applied to claim 24 are as stated above.

Blohowiak et al. in view of Grylls et al., Vaughan et al., and Konieczny does not teach that the adhesive coating is an epoxy material comprising Blohowiak et al. does not teach that eh adhesive is an epoxy material comprising about 3-35% by wt. diglycidylether of bisphenol-A, about 35-60% by wt. diglycidylether of bisphenol-A, about 10-30% by wt. novolac-epoxy, and about 5-18% by wt. carboxy terminated acrylonitrile-butadiene rubber; and a second curative material comprising about 0-100% by wt. 4,4° –diaminodiphenylsulfone, about 0-100% by wt. 3,3°diaminodiphenylsulf-one, and about 0-0.2% by wt. chromium octotate as required by claim 41.

Shimizu et al. teaches applying an adhesive to a metal plate where the adhesive comprises a first epoxy composition and a second epoxy composition then the composition is cured by heating the modulus of elasticity in tension sufficient to increase the stiffness of the metal (abstract). Shimizu et al. teaches that the epoxy resins can be glycidyl ether type and can be used alone or in combination with each other depending on the desired physical properties of the epoxy resin composition. The resin includes

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hardeners that are used to exhibit curing action upon heating such as 4,4'-diaminodiphenylsulfone in amounts between 1-15% by weight of the total epoxy resin (column 3, lines 32-50). Shimizu et al. teaches that various additives can be used such as high molecular weight epoxy resins derived form bisphenol A and butadiene acrylonitrile copolymers in the amount of 5-100 % by weight which increases the formability of the adhesive (column 3, lines 57-64). Shimizu et al. teaches the use of 35 parts of bisphenol A type liquid epoxy resin with 50 parts bisphenol a type solid epoxy resin (column 5, lines 63-66). Shimizu et al. also teaches the use of 10 % of carboxyl group containing nitrile rubber (column 6, lines 37-40). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the epoxy material of Shimizu et al. using the amounts of the claim through routine experimentation especially absent any criticality in using the claimed range. One would have been motivated to do so because Shimizu et al. teaches that the amount and components of the mixture affects the overall cohesive force, sag, viscosity, and wetting properties of the resin (column 3, lines 51-56) therefore one would have a reasonable expectation of success in applying the adhesive to the metal substrate.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the process of Blohowiak et al. in view of Grylls et al., Vaughan et al., and Konieczny to include applying the epoxy mixture of Shimizu et al. One would have been motivated to do so because both disclose applying epoxy adhesive to a metal substrate and Shimizu et al. further teaches that the adhesive does not have the problem of forming strain or depression in the metal therefore one would have a reasonable expectation of success in applying the epoxy resin.

27. Claim 42 is rejected under 35 U.S.C. 103(a) as being unpatentable over Blohowiak et al. in view of Grylls et al., Vaughan et al., and Konieczny and Shimizu et al. as applied to claims 24, 40, and 41 above and in further view of Poutasse et al.

The teachings of Blohowiak et al. in view of Grylls et al., Vaughan et al., and Konieczny and Shimizu et al. as applied to claims 24, 40 and 41 are as stated above.

Blohowiak et al. in view of Grylls et al., Vaughan et al., and Konieczny and Shimizu et al. does not teach that the solvent is acetone as required by claim 42.

Poutasse et al. discloses applying an epoxy adhesive to foil to produce a laminate. Poutasse et al. teaches that the adhesive contains a solvent where the solvent can be acetone (column 4, lines 55-59).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the process of Blohowiak et al. in view of Grylls et al., Vaughan et al., and Konieczny and Shimizu et al. to include the solvent of Poutasse et al. One would have been motivated to do because both disclose processes for applying an epoxy adhesive that contains an epoxy novolac, bisphenol epoxy resin to a foil to make a laminate where the foil is roughened before the adhesive is applied and Poutasse further teaches that the adhesive contains a solvent therefore one would have a reasonable expectation of success in forming the epoxy adhesive.

28. Claims 43 and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blohowiak et al. in view of Grylls et al., Vaughan et al., and Shimizu et al.

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Blohowiak et al. teaches a process of grit blasting a metal material with fine particles of aluminum oxide where the mesh size is about 180 (column 10, lines 42-58); subjecting the metal material to a caustic solution of sodium hydroxide that has a concentration of about 10-30% by weight of sodium hydroxide (column 20, lines 44-55); rinsing the metal material with water to remove the caustic solution of sodium hydroxide (column 20, line 47); applying a sol-gel coating to the metal material where the solgel coating is a mixture of zirconium alkoxide, 3-glycidoxy-propyltrimethoxysilane, and glacial acetic acid (column 3, liens 3-10); evaporating the water portion of the sol-gel coating (column 3, lines 18-21); applying a liquid adhesive coating to the metal material and evaporating the solvent of the adhesive coating (abstract, Fig. 1).

Blohowiak et al. does not teach that the metal is grit blasted with a mixture of fine particles of aluminum oxide in air and water; sol-gel is a mixture that has to have a surfactant; adhesive is an epoxy material comprising about 3-35% by wt. diglycidylether of bisphenol-A, about 35-60% by wt. diglycidylether of bisphenol-A, about 10-30% by wt. novolac-epoxy, and about 5-18% by wt. carboxy terminated acrylonitrile-butadiene rubber; and a second curative material comprising about 0-100% by wt. 4,4' -diaminodiphenylsulfone, about 0-100% by wt. 3,3'diaminodiphenylsulf-one, and about 0-0.2% by wt. chromium octotate as required by claim 43.

Vaughan et al. discloses a process for cleaning titanium alloy to remove oxide coating. The process includes cleaning the alloy (column 2, lines 17-19) using grit blasting with 50 micron alumina, water rinsing, immersing in a solvent and water rinsing (column 4, lines 34-38).

Grylls et al. teaches a method for coating a turbine airfoil where the airfoil is grit blasted to improve the surface finish. The airfoil can be grit blasted using particles mixed with compressed air and water vapor [0020] where the particles are alumina [0022]. Grylls et al. teaches that pressures and sizes must be controlled to prevent chipping of the surface. The grit size can be smaller than 60 mesh and preferably smaller than 220 mesh [0022].

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the process of Blohowiak et al. to include the grit removal process of Vaughan et al. and grit blasting using water, air and alumina as taught by Grylls et al. One would have been motivated to do so because all teach processes of cleaning a metal substrate using grit blasting, Vaughan et al. teaches that the grit can be removed by water rinsing as is later immersed in solvent which is a step in the process of Blohowiak et al. and Grylls et al. teaches that by blasting with water vapor, air, and alumina improves the surface finish of the metal as well as prevents chipping of the surface therefore one would have a reasonable expectation of success in cleaning the metal substrate.

In regards to the surfactant, Blohowiak et al. states that the mixture can have surfactants or thixotropic agents in the solution to improve spray characteristics. The surfactants or thixotropic agents help to provide a more uniform sprayed coating and improve the manufacturability of the process.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to use a surfactant in the mixtures. One would have been motivated to do so because Blohowiak et al. teaches using surfactants improves the spray characteristics of the solution; provides a more uniform spray coating; and improves the manufacturability of the process therefore one would have a reasonable expectation of success of applying the sol gel.

In regards to the epoxy adhesive, Shimizu et al. teaches applying an adhesive to a metal plate where the adhesive comprises a first epoxy composition and a second epoxy composition then the composition is cured by heating the modulus of elasticity in tension sufficient to increase the stiffness of the metal (abstract). Shimizu et al. teaches that the epoxy resins can be glycidyl ether type and can be used alone or in combination with each other depending on the desired physical properties of the epoxy resin composition. The resin includes hardeners that are used to exhibit curing action upon heating such as 4,4'-diaminodiphenylsulfone in amounts between 1-15% by weight of the total epoxy resin (column 3, lines 32-50). Shimizu et al. teaches that various additives can be used such as high molecular weight epoxy resins derived form bisphenol A and butadiene acrylonitrile copolymers in the amount of 5-100 % by weight which increases the formability of the adhesive (column 3, lines 57-64). Shimizu et al. teaches the use of 35 parts of bisphenol A type liquid epoxy resin with 50 parts bisphenol a type solid epoxy resin (column 5, lines 63-66). Shimizu et al. also teaches the use of 10 % of carboxyl group containing nitrile rubber (column 6, lines 37-40). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the epoxy material of Shimizu et al. using the amounts of the claim through routine experimentation especially absent any criticality in using the claimed range. One would have been motivated to do so because Shimizu et al. teaches that the amount and components of the mixture affects the overall cohesive force, sag, viscosity, and wetting properties of the resin (column 3, lines 51-56) therefore one would have a reasonable expectation of success in applying the adhesive to the metal substrate.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the process of Blohowiak et al. in view of Grylls et al., and Vaughan et al. to include applying the epoxy mixture of Shimizu et al. One would have been motivated to do so because both disclose applying epoxy adhesive to a metal substrate and Shimizu et al. further teaches that the adhesive

does not have the problem of forming strain or depression in the metal therefore one would have a reasonable expectation of success in applying the epoxy resin.

Blohowiak et al. teaches that the metal material can be titanium, aluminum, stainless steel, nickel or copper as required by claim 44.

29. Claim 45 is rejected under 35 U.S.C. 103(a) as being unpatentable over Blohowiak et al. in view of Grylls et al., Vaughan et al., Konieczny and Shimizu et al.

Blohowiak et al. teaches a process of grit blasting a metal material with fine particles of aluminum oxide where the mesh size is about 180 (column 10, lines 42-58); subjecting the metal material to a caustic solution of sodium hydroxide that has a concentration of about 10-30% by weight of sodium hydroxide (column 20, lines 44-55); rinsing the metal material with water to remove the caustic solution of sodium hydroxide (column 20, line 47); applying a sol-gel coating to the metal material where the solgel coating is a mixture of zirconium alkoxide, 3-glycidoxy-propyltrimethoxysilane, and glacial acetic acid (column 3, liens 3-10); evaporating the water portion of the sol-gel coating (column 3, lines 18-21); applying a liquid adhesive coating to the metal material and evaporating the solvent of the adhesive coating (abstract, Fig. 1).

Blohowiak et al. does not teach that the foil is grit blasted with a mixture of fine particles of aluminum oxide in air and water and the mesh size is bout 280; is subjected to a caustic solution having a sodium hydroxide concentration of about 25%; is coated with a sol-gel mixture with a surfactant; coated with an epoxy material comprising about 3-35% by wt. diglycidylether of bisphenol-A, about 35-60% by wt. diglycidylether of bisphenol-A, about 10-30% by wt. novolac-epoxy, and about 5-18% by wt. carboxy

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terminated acrylonitrile-butadiene rubber; and a second curative material comprising about 0-100% by

wt. 4,4' -diaminodiphenylsulfone, about 0-100% by wt. 3,3'diaminodiphenylsulf-one, and about 0-0.2%

by wt. chromium octotate as required by claim 45.

Vaughan et al. discloses a process for cleaning titanium alloy to remove oxide coating. The

process includes cleaning the alloy (column 2, lines 17-19) using grit blasting with 50 micron alumina,

water rinsing, immersing in a solvent and water rinsing (column 4, lines 34-38).

Grylls et al. teaches a method for coating a turbine airfoil where the airfoil is grit blasted to

improve the surface finish. The airfoil can be grit blasted using particles mixed with compressed air and

water vapor [0020] where the particles are alumina [0022]. Grylls et al. teaches that pressures and sizes

must be controlled to prevent chipping of the surface. The grit size can be smaller than 60 mesh and

preferably smaller than 220 mesh [0022].

Konieczny discloses that grit blasting is used in a variety of manufacturing processes. Aluminum

oxide particles of a selected size are directed against a surface to be blasted by compresses air or water.

The goal is to create a surface having a roughness within a certain range, which is achieved by varying the

size of the alumina grit, and the air pressure (column 1, lines 16-24).

It would have been obvious to one having ordinary skill in the art to modify the process of

Blohowiak et al. in view of Grylls et al. and Vaughan et al. to include the mesh size of about 280. One

would have been motivated to do so because Konieczny teaches that the mesh size is a result effective

variable because it controls the surface roughness. Therefore it would have been obvious to one having

ordinary skill in the art at the time to use the mesh size within the claimed range through routine

experimentation in order to obtain a desired surface finish especially absent any criticality in using the claimed range.

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In regards to the caustic solution having a sodium hydroxide concentration of about 25%, Blohowiak et al. teaches that the alkaline etch with TURCO 5578 (caustic solution with NaOH) produces a roughened surface better suited for adhesive bonding The concentration of the alkaline solution will affect the roughening of the surface making it a result effective variable. Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the process to include the concentration within the claimed range through routine experimentation in order to achieve the desired roughening of the metal surface especially absent any criticality in using the claimed range.

In regards to the surfactant, Blohowiak et al. states that the mixture can have surfactants or thixotropic agents in the solution to improve spray characteristics. The surfactants or thixotropic agents help to provide a more uniform sprayed coating and improve the manufacturability of the process.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to use a surfactant in the mixtures. One would have been motivated to do so because Blohowiak et al. teaches using surfactants improves the spray characteristics of the solution; provides a more uniform spray coating; and improves the manufacturability of the process therefore one would have a reasonable expectation of success of applying the sol gel.

In regards to the epoxy adhesive, Shimizu et al. teaches applying an adhesive to a metal plate where the adhesive comprises a first epoxy composition and a second epoxy composition then the composition is cured by heating the modulus of elasticity in tension sufficient to increase the stiffness of

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the metal (abstract). Shimizu et al. teaches that the epoxy resins can be glycidyl ether type and can be used alone or in combination with each other depending on the desired physical properties of the epoxy resin composition. The resin includes hardeners that are used to exhibit curing action upon heating such as 4,4'-diaminodiphenylsulfone in amounts between 1-15% by weight of the total epoxy resin (column 3, lines 32-50). Shimizu et al. teaches that various additives can be used such as high molecular weight epoxy resins derived form bisphenol A and butadiene acrylonitrile copolymers in the amount of 5-100 % by weight which increases the formability of the adhesive (column 3, lines 57-64). Shimizu et al. teaches the use of 35 parts of bisphenol A type liquid epoxy resin with 50 parts bisphenol a type solid epoxy resin (column 5, lines 63-66). Shimizu et al. also teaches the use of 10 % of carboxyl group containing nitrile rubber (column 6, lines 37-40). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the epoxy material of Shimizu et al. using the amounts of the claim through routine experimentation especially absent any criticality in using the claimed range. One would have been motivated to do so because Shimizu et al. teaches that the amount and components of the mixture affects the overall cohesive force, sag, viscosity, and wetting properties of the resin (column 3, lines 51-56) therefore one would have a reasonable expectation of success in applying the adhesive to the metal substrate.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the process of Blohowiak et al. in view of Grylls et al., and Vaughan et al. to include applying the epoxy mixture of Shimizu et al. One would have been motivated to do so because both disclose applying epoxy adhesive to a metal substrate and Shimizu et al. further teaches that the adhesive does not have the problem of forming strain or depression in the metal therefore one would have a reasonable expectation of success in applying the epoxy resin.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cachet I. Sellman whose telephone number is 571-272-0691. The examiner can normally be reached on Monday through Friday, 7:00 - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy Meeks can be reached on 571-272-1423. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Cachet Sellman Patent Examiner AU 1762

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